RESERVED

Writ Petition No. 630 (M/B) of 2002

Rani Mittal ..... Petitioner

Versus

State of Uttaranchal
and others ..... Respondents

.....

Hon. Irshad Hussain J.
Hon. M.M. Ghildiyal, J.

(Delivered by Hon'ble M.M. Ghildiyal, J.)

The petitioner in pursuant to the advertisement published in Amar- Ujala dated 06.06.2002 applied for selection to the post of Assistant Teacher, Junior Basic School. She was called for interview on 27.6.2002 and was required to submit certificates of educational qualification and training etc at the time of interview. According to the petitioner her candidature for selection on the post of Assistant teacher was rejected solely on the ground that she is having a certificate of B.T.C. correspondence and not B.T.C. regular. Aggrieved the petitioner has filed the present petition.

We have heard Sri Pankaj Miglani learned counsel for the petitioner and learned S.C.

The learned counsel for the petitioner has submitted that the petitioner has obtained certificate of B.T.C. correspondence and her candidature has been rejected only on the ground that she is not having regular B.T.C. certificate. The learned counsel for the petitioner has relied on the judgment of Ramesh Pratap Singh and others Vs, State of U.P. and others, reported in A.L.R. 1993 (21) page 88 in which Hon'ble Single Judge of Allahabad High Court has held that there is no distinction between certificate obtained from a regular course and other which is obtained through a correspondence course. Learned Standing Counsel has pointed out that the certificate obtained by the petitioner has not been issued by

a recognized institute. The certificate submitted by the petitioner was issued by the Bhartiya Shiksha Parishad, Uttar Pradesh. The said certificate is annexed as annexure 3 to the writ petition. From the certificate it is not clear where the institute, which has issued the aforesaid certificate, is situated. The petitioner could not show that the certificate issued by the Bhartiya Shiksha Parishad is recognized by the State Government. In the case of Ramesh Pratap Singh (supra) the petitioner has done his B.T.C. correspondence training from a recognized training school, i.e. Rajkiya Diksha Vidalaya, Shiv Kuti of district Allahabad whereas in the present case the petitioner could not show the genuineness of the certificate as also that the institute issuing certificate was recognized by the State government. We thus do not find force in the submission of the learned Counsel for the petitioner.

For the reasons stated above the petition is dismissed.

No order as to costs.

April 2, 2003 **(Irshad Hussain, J.)** **(M.M. Ghildiyal, J.)**
MPS